North
Pacific
Longline
Association

Testimony
U.S. House Subcommittee on Fisheries and Oceans

Fisheries Management Successes in Alaska
Reauthorization of the Magnuson-Stevens Act

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Mr. Gilchrest, Members of the Subcommittee, Welcome to Alaska and sincere thanks for the opportunity to express my views on fisheries management successes in Alaska and the reauthorization of the MSA. I represent freezer-longliners that harvest, process, and freeze groundfish – primarily cod – off Alaska. The product is of the highest quality, commanding top prices. We deploy baited hooks on the seabed through automatic baiters to catch our fish. Freezer- longliners are owned and operated by Alaskans, Community Development Quota groups, and companies from Washington State. The Alaska cod fishery and its sustainability are essential to all these groups.

There are many fishery management success stories in Alaska – you will hear some today. I would like to focus on one problem that took us by surprise and required fast footwork and "thinking outside the box" to reach a resolution. It touches on ecosystem management, how science is developed and used in our management process, how that process can work in Alaska and elsewhere, and what lessons it may hold for MSA reauthorization and for the future. There may be some surprises.

In the fall of 1995 the Alaska freezer-longliner fleet ran headlong into the mother of all endangered species problems. We took two short-tailed albatrosses on our baited hooks. These iconic seabirds nest on an active volcanic island off Japan, and were hunted to near

extinction by the Japanese at the turn of the nineteenth century. In 1995 the only population information available was that in 1962 there were 300 short-tailed albatrosses in the world (there are now 1,990).

The significance of these takes was not lost on the longline industry or the environmental industry. It was obvious that immediate action was necessary if we were to avoid the million-pound hammer effect of the Endangered Species Act. Unfortunately neither the National Marine Fisheries Service (NMFS) with responsibility for the fishery, nor the U. S. Fish and Wildlife Service (USFWS) with responsibility for the endangered albatrosses, had any idea what to do – the seabird issue had not arisen previously in the context of U.S. fishery management. As the environmental industry organized to blow us out of the water, the longline industry undertook an immediate study of longline/seabird problems worldwide and wrote its own set of seabird avoidance regulations. These were approved by the North Pacific Fishery Management Council in December of 1996, and were implemented by May of 1997. The United States Coast Guard (USCG) volunteered to enforce the regulations by overflying the fleet.

The USFWS then wrote a Biological Opinion requiring that NMFS conduct research to determine the effectiveness of the measures contained in the regulations. We found that NMFS did not have the money or the expertise required for the work (NMFS needs and deserves more funding), and here began a remarkable collaboration between the fishing industry and the Washington Sea Grant Program (WSGP) – outside of the usual fishery management process. Industry was able to obtain funding from Congress, and the WSGP seabird experts designed and staffed a first-ever massive experiment to test seabird avoidance methods. The experiment was conducted over a period of two years on vessels participating in the commercial longline fisheries – millions of hooks were set. In the end it was discovered that paired streamer lines suspended over the baited hooks while setting gear were 88% - 100% effective in deterring seabird strikes. The method that worked for albatrosses worked for all seabird species. Paired streamer lines are now required on our longliners and the longliners of many other countries. Since the implementation of our first regulations in 1997, we have reduced overall seabird incidental take in the freezer-longliner fleet by more than 80%. No short-tailed albatrosses have been taken since 1998. A week from now, on July 15, we will begin at-sea testing of integrated weight groundlines,

which sink two and one-half times as fast as unweighted groundlines, and which have been found highly effective in avoiding seabirds in Southern Hemisphere longline fisheries. Again we are working with Washington Sea Grant.

The fishing industry engaged in extensive outreach exercises to get the word to longliners at home and abroad. We printed and NMFS distributed 17,000 brochures on the new regulations and on streamer lines. We created and laminated in plastic a North Pacific Albatross Guide for use by our longliners and observers. These guides were delivered to longliners in Hawaii and on the West Coast of Canada. The Marine Conservation Alliance and the North Pacific Longline Association had the guides translated into Cyrillic, laminated in plastic, and hand-carried to Russia where they were delivered to Russian longliners by the World Wildlife Fund – which has a remarkable program promoting conservation in Russian longline fisheries. Washington Sea Grant prepared an excellent video, "Off the Hook," which demonstrates the use of streamer lines on longliners of various sizes. These were distributed to the fleet. I developed a seabird avoidance slide show which I presented in the U.S. and several foreign longlining countries. USFWS created a program with the Pacific States Marine Fisheries Commission (PSMFC) to deliver streamer lines to the fleet free of charge. There were many other outreach efforts.

Finally, the industry obtained appropriations for the Short-Tailed Albatross Recovery Team, a group of Japanese and American scientists dedicated to recovery of the species.

What can we learn from all this? First, it constitutes an expansion of the concept of ecosystem-based management, as seabirds had not previously been considered in U.S. fishery management. Second, it shows that sometimes science must be developed in the course of management - in real time. There was no reliable science of seabird avoidance until our first-time experiment. Third, it shows that amazing things can be accomplished through cooperative research between industry and outside third parties like WSGP. If it can be done in Alaska, it can be done elsewhere. Fourth, it shows that much can be accomplished "outside the box" of routine fishery management - again, with the cooperation of all involved (the Council, NMFS, USFWS, USCG, PSMFC were all supportive). Finally, it shows that there is no need to amend the MSA to ensure the protection of seabirds. Industry and academia have taken the lead here, with great

success. In addition to the longliner work above, the trawl fleet is about to conduct seabird avoidance experimentation with the same Washington Sea Grant personnel used in the longline experiment. Our actions are being emulated worldwide. Great progress has been achieved in Hawaiian longline fisheries, as well. We have been at this for ten years now. It is not necessary for Congress to mandate a "list of fisheries with significant seabird interaction problems," or for public comment on such a list, or for the Secretary to work with industry to develop seabird avoidance methodologies. The problem fisheries have been identified, and most of the problems are well on the way to resolution. Such work is best done collaboratively by industry and academia, with support from the councils and agencies. Grant Authority to fund such activity is a good idea.

There is no need to change the definition of "bycatch" in the MSA to include seabirds, for the above reasons. The MSA is a fisheries statute, and NMFS is a fisheries agency. If seabirds were included in "bycatch," a number of substantive obligations come into play that are aimed at fish, not seabirds or marine mammals. Modifying the definition of "bycatch" would put us on a slippery slope, shift the focus of the fishery management program, and invite frivolous litigation. We should recognize that the MSA and NMFS cannot do everything, and rely on responsible industry and academia to resolve problems that are outside the core expertise of the agency and the councils.

In this regard I have recently been reminded by a colleague at the Western Pacific Fishery Management Council that the seabird incidental take problem is a relatively easy one to fix – unlike the sea turtle problem. The birds are focused on fishing vessels and their bait or offal discharge. The problem is a highly localized one, and fishermen have been able to develop solutions. Please see Melvin and Parrish, "Focusing and Testing Fisher Know-How to Solve Conservation Problems: A Common Sense Approach."

As a final aside on another topic, the continued warming of North Pacific and Arctic waters is a real concern for all of us. Some problems really are beyond legislation.

In closing I thank you again for the opportunity to express these views, and wish you the best of luck in the MSA reauthorization process.